

**United States Bankruptcy Court  
Eastern District of Pennsylvania**

In re **Ricky Bost**

Debtor(s)

Case No. **16-15067- amc**

Chapter **13**

**FIFTH AMENDED CHAPTER 13 PLAN AND CERTIFICATE OF SERVICE**

1. Payments to the Trustee: The future earnings or other future income of the Debtor is submitted to the supervision and control of the trustee. The Debtor (or the Debtor's employer) shall pay to the trustee the sum of **\$7,874.50 has been paid over 13 months and pay \$585.00** per month for **43** months.

Total of plan payments: **\$33,029.50**

**PAY 100% ON TIMELY FILED ALLOWED UNSECURED CLAIMS. ANY UN-EXEMPT PROCEEDS FROM SUIT WILL BE PAID INTO THE CHAPTER 13 TRUSTEE FOR THE BENEFIT OF THE UNSECURED CLAIMS.**

2. Plan Length: This plan is estimated to be for **56** months.
3. Allowed claims against the Debtor shall be paid in accordance with the provisions of the Bankruptcy Code and this Plan.
- a. Secured creditors shall retain their mortgage, lien or security interest in collateral until the earlier of (a) the payment of the underlying debt determined under nonbankruptcy law, or (b) discharge under 11 U.S.C. § 1328.
- b. Creditors who have co-signers, co-makers, or guarantors ("Co-Obligors") from whom they are enjoined from collection under 11 U.S.C. § 1301, and which are separately classified and shall file their claims, including all of the contractual interest which is due or will become due during the consummation of the Plan, and payment of the amount specified in the proof of claim to the creditor shall constitute full payment of the debt as to the Debtor and any Co-Obligor.
- c. All priority creditors under 11 U.S.C. § 507 shall be paid in full in deferred cash payments.
4. From the payments received under the plan, the trustee shall make disbursements as follows:
- a. Administrative Expenses
- (1) Trustee's Fee: **Amount to be determined by the Office of the U. S. Trustee.**
- (2) Attorney's Fee (unpaid portion): **\$4,500.00 to be paid through plan in monthly payments**
- (3) Filing Fee (unpaid portion): **NONE**
- b. Priority Claims under 11 U.S.C. § 507
- (1) Domestic Support Obligations **NONE**
- (2) Other Priority Claims.

Name  
**Internal Revenue Service-**

Amount of Claim  
**268.00**

Interest Rate (If specified)

- c. Secured Claims SEE BELOW

(2) Secured Debts Which Will Not Extend Beyond the Length of the Plan

(a) Secured Claims Subject to Valuation Under § 506. The Debtor moves the Court to value collateral as follows according to 11 U.S.C. § 506(a). Each of the following secured claims, if allowed, shall be paid through the plan in equal monthly payments set forth below, until the secured value or the amount of the claim, whichever is less, has been paid in full. Any remaining portion of the allowed claim shall be treated as a general unsecured claim. Any claim with a secured value of \$0 shall be treated as a general unsecured claim.

Name  
Proposed Amount of  
Allowed Secured Claim

Interest Rate (If specified)

Name	Proposed Amount of Allowed Secured Claim	Interest Rate (If specified)
<b>Crescent Bank And Trus</b>	<b>15,163.63 plus interest for a total amount to be paid \$17,589.76</b>	6%

(b) Secured Claims Not Subject to Valuation Under § 506. Each of the following claims, if allowed, shall be paid through the plan in equal monthly payments set forth below, until the amount of the claim as set forth in the Creditor's proof of claim has been paid in full.

Name	Proposed Amount of Allowed Secured Claim	Monthly Payment	Interest Rate (If specified)
<b>-NONE-</b>			

(3) Secured Debts Which Will Not Extend Beyond the Length of the Plan

Name	Amount of Claim	Monthly Payment	Interest Rate (If specified)
<b>-City of Philadelphia (water/sewer)</b>	<b>147.77</b>		

d. Unsecured Claims **PAY 100% ON TIMELY FILED ALLOWED UNSECURED CLAIMS.**

5. The Debtor proposes not to cure defaults to the following creditors because Relief has been obtained from the Automatic Stay.

Creditor	Amount of Default to be Cured
<b>Midland Mtg/Midfirst NO PAYMENTS TO BE MADE ON THIS SECURED CLAIM./ RELIEF HAS BEEN GRANTED</b>	<b>2,761.19</b>
<b>Wfhm NO PAYMENTS TO BE MADE ON THIS SECURED CLAIM/ RELIEF HAS BEEN GRANTED</b>	<b>5,087.51</b>

6. The Debtor shall not make regular payments directly to the following creditors as relief has been obtained on the property.

Name	Amount of Claim
<b>Midland Mtg/Midfirst</b>	<b>12,986.69</b>
<b>Wfhm</b>	<b>39,802.55</b>

7. The employer on whom the Court will be requested to order payment withheld from earnings is:  
**NONE. Payments to be made directly by debtor without wage deduction.**

8. The following executory contracts of the debtor are rejected:

Other Party	Description of Contract or Lease
<b>-NONE-</b>	

9. Property to Be Surrendered to Secured Creditor

Name	Amount of Claim	Description of Property
<b>-NONE-</b>		

10. The following liens shall be avoided pursuant to 11 U.S.C. § 522(f), or other applicable sections of the Bankruptcy Code:

Name	Amount of Claim	Description of Property
<b>-NONE-</b>		

11. Title to the Debtor's property shall revert in debtor **on confirmation of a plan.**

12. As used herein, the term "Debtor" shall include both debtors in a joint case.

13. Other Provisions: **Claim # 6 in the amount of \$ 4,163.44 Navient Solutions will be paid outside of Plan**

Date **August 29 2017**

Signature **/s/ David M. Offen**  
**David M. Offen**  
Debtor's Counsel

**CERTIFICATE OF SERVICE**

**THE CHAPTER 13 TRUSTEE, PRIORITY AND SECURED CREDITORS ARE BEING SERVED A COPY OF THE FIFTH AMENDED CHAPTER 13 PLAN. IN ADDITION, NAVIENT SOLUTIONS IS BEING SERVED A COPY OF THE FIFTH AMENDED CHAPTER 13 PLAN.**

**NAVIENT SOLUTIONS  
P.O. BOX 9640  
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**/s/ David M. Offen  
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